HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE

WRIT PETITION NO.19984 OF 1995

Between:

D.Ravi Prasad and others

. . .Petitioner

AND

The Management of Hindusthan
Petroleum Corporation Limited,
Visakhapatnam rep.by its
Managing Director and others

. . .Respondents

Counsel for the petitioner : Shri G.Vidyasagar

Counsel for the respondents : None

Dated: 5th July, 2006

: ORDER :

In this petition, the petitioners have prayed as under:

> "For the reasons stated in the accompanying affidavit it is prayed that this Hon'ble court may be pleased to issue an order, direction or writ more particularly one in the nature of writ of mandamus declaring
>
> i) appointment of contractor for running the industrial canteen (night shift) at Hindusthan Petroleum Corporation Limited, Visakhapatnam refinery, Malkapuram as illegal and arbitrary;
>
> ii) declaring the action of the respondents in not treating the petitioners as the employees of the Hindustan Petroleum Corporation Limited as illegal and arbitrary and
>
> iii) consequently direct the respondents to treat the petitioners as the employees of Hindusthan Petroleum Corporation Limited and grant appropriate pay scales to the petitioners on par with the regular employees of the Corporation from the date of their respective appointment with all consequential benefits and grant such other relief or reliefs as this Hon'ble court deems fit and proper under the circumstances of the case."

Shri G.Vidyasagar, learned counsel for the petitioners fairly states that in view of the judgment of the Supreme Court in **A.P.S.R.T.C. v. G.Srinivas Reddy**[1], his clients may be permitted to withdraw the writ petition with liberty to avail remedy under Industrial Disputes Act, 1947 and other contemporaneous statutes.

The request made by Shri G.Vidyasagar is accepted and the writ petition is dismissed as withdrawn with liberty in terms of the prayer

made.

As a sequel to withdrawal of the writ petition, interim order dated 06.09.1995 shall stand automatically vacated and W.P.M.P.No.24497 of 1995 shall stand dismissed.

G.S.SINGHVI, CJ

Date: 05.07.2006

kvni

---

[1] 2006(3) SCC 674